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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,939	05/08/2001	Serge Haumont	800.0318.U1 (US)	9553
29683	7590	06/22/2010		
HARRINGTON & SMITH 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212			EXAMINER PEACHES, RANDY	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			06/22/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/806,939	<b>Applicant(s)</b> HAUMONT, SERGE	
	<b>Examiner</b> RANDY PEACHES	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3,7,20-22 and 25-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3,7,20-22 and 25-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/22/2010 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. ***Claims 7, 25-26, 28, 32 and 35-38*** are rejected under 35 U.S.C. 102(e) as being anticipated by Tiedemann et al (U.S. Patent Number 6,381,454 B1).

Regarding ***claims 7 and 35***, Tiedemann et al discloses in column 2 lines 29-37, of a method, the method comprising:

- allocating and sending, using a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an associated identifier a Temporary

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Reference Number (TRN) for a mobile station in a cellular network wherein the said TRN includes at least part of an identifier indicating the said MSC (10);

- sending a message to the mobile station, wherein the message comprises signaling the allocated temporary identity to the mobile station for use by the mobile station during at least an uplink data transfer procedure and wherein the temporary identity. See column 8 lines 11-21

Regarding **claim 3 and 32**, according to **claim 7**, Tiedemann et al discloses further where the uniquely identification of the said mobile station based on the identifier of the said mobile station and the said identification of the service area, which reads on claimed "paging area", where the said TMSID was allocated. See column 2 lines 50-65.

Regarding **claims 20, 25 and 28**, Tiedemann et al discloses in column 2 lines 29-37, of a method, a network element, a communication network, and a mobile station, which reads on claimed "cellular network, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10) and wherein the said mobile station is configured to use part of the identifier for data transfer and for signaling. See column 6 lines 29-50;

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Regarding **claims 22, 26, 32 and 36-37**, according to **claims 7, 20, 25 and 35**, Tiedemann et al discloses in column 2 lines 29-37, wherein a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10). See column 2 lines 27-37.

Regarding **claim 38**, according to **claim 35**, Tiedemann et al discloses in column 2 lines 29-37, wherein a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10). See column 2 lines 27-37.

2. **Claims 29-31** are rejected under 35 U.S.C. 102(e) as being anticipated by Wallentin et al (U.S. Publication Number 2002/0086685 A1) .

Regarding **claim 31**, Wallentin et al discloses in paragraph [0052], a radio station controller for a cellular network, configured to route data packets in a General Packet Radio Service, including a Temporary Mobile Station Identification (TMSID) allocated to a mobile station, wherein the said TMSID includes at least part of an identifier indicating a Radio Network Controller (RNC), which reads on claimed "network element", which

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allocated the temporary identity and wherein the said RNC is configured to used at least part of the said TMSID to route data packets to the second RNC, which reads on claimed "network element", serving the mobile station. See paragraph [0051, 0063, 0077,0075].

Regarding **claims 29 and 30**, according to **claim 31**, Wallentin et al further discloses in paragraph [0005], where the radio station controller, which reads on claimed "radio station controller", is a base station controller.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 21** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedemann et al (U.S. Patent Number 6,381,454 B1) in view of Huttunen et al. (U.S. Patent Number 6,356,761 B1).

Regarding **claim 21**, according to **claim 20**, Tiedemann et al. fails to disclose wherein the said database element is a domain name server.

Huttunen et al. discloses in column 7 lines 27-33, wherein a database element is a DNS.

Therefore, at the time of the invention one of ordinary skill in the art would modify the teaching of Tiedemann et al (U.S. Patent Number 6,381,454 B1) to include in view of Huttunen et al. (U.S. Patent Number 6,356,761 B1) in order for the system to be compatible with the IP network in regards to identifying respected subscribers.

4. **Claim 27** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedemann et al (U.S. Patent Number 6,381,454 B1) in view of Mademann (U.S. Patent Number 6,081,723).

Regarding **claims 27**, according to **claim 28**, Tiedemann et al discloses in column 2 lines 29-37, of a method and a network element, allocating a temporary identity to at least one mobile station in a communication network, which reads on claimed "cellular network", the method comprising:

- using a Mobile Switching Center (MSC, 10), which reads on claimed "network element", having an identifier of its own to allocate a Temporary Reference Number (TRN) to the at least one mobile station wherein the said TRN includes at least part of an identifier indicating the said MSC (10).

However, Tiedemann et al does not disclose where the said network element is a support node.

Mademann teaches in column 1 lines where the packet data service nodes are GPRS support nodes.

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Therefore, at the time of the invention one of ordinary skill in the art would modify the teaching of Tiedemann et al (U.S. Patent Number 6,381,454 B1) to include Mademann (U.S. Patent Number 6,081,723) in order to transmit data packets between mobile stations in a General Packet Radio Service.

### ***Response to Arguments***

Applicant's arguments with respect to ***claims 3, 7, 20-22 and 25-38*** have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RANDY PEACHES whose telephone number is (571) 272-7914. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Randy Peaches/  
Examiner, Art Unit 2617

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617